

## SPECIAL COUNCIL MEETING

JANUARY 22, 2014

The Special Council Meeting of the Council of the County of Kaua'i was called to order by Council Vice Chair Mason K. Chock, Sr., at the Council Chambers, 4396 Rice Street, Room 201, Līhu'e, Kaua'i, on Wednesday, January 22, 2014 at 4:16 p.m., after which the following members answered the call of the roll:

Honorable Tim Bynum  
Honorable Mason K. Chock, Sr.  
Honorable Gary L. Hooser  
Honorable Ross Kagawa  
Honorable Mel Rapozo  
Honorable JoAnn A. Yukimura

Excused: Honorable Jay Furfaro

### APPROVAL OF AGENDA.

Mr. Rapozo moved for approval of the agenda as circulated, seconded by Mr. Bynum, and carried by a vote of 6:0:1 (Council Chair Furfaro was excused).

### PUBLIC COMMENT.

Pursuant to Council Rule 13(e), members of the public shall be allowed a total of eighteen (18) minutes on a first come, first served basis to speak on any agenda item. Each speaker shall be limited to three (3) minutes at the discretion of the Chair to discuss the agenda item and shall not be allowed additional time to speak during the meeting. This rule is designed to accommodate those who cannot be present throughout the meeting to speak when the agenda items are heard. After the conclusion of the eighteen (18) minutes, other members of the public shall be allowed to speak pursuant to Council Rule 12(e).

There being no one to give public comment at this time, the meeting proceeded as follows:

### RESOLUTION:

Resolution No. 2013-72, Draft 2 – RESOLUTION TO IMPLEMENT AN ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS STUDY (EPHIS), VIA FORMATION OF A PESTICIDE AND GENETIC ENGINEERING JOINT FACT FINDING GROUP (JFFG)

Vice Chair Chock: My understanding is that this item is being asked to be deferred. We have people who have come here to testify who just walked into the room. Can we suspend the rules for any public testimony? No one signed up?

Mr. Hooser: This is for the Environmental and Public Health Impacts Study (EPHIS) Resolution that we are preparing to defer to the next meeting.

Vice Chair Chock: That is correct.

Mr. Hooser: So, you are asking if anyone in the audience would like to speak on that?

Vice Chair Chock: That is correct. Thanks for saying that to people who have just walked into the room.

JADE K. FOUNTAIN-TANIGAWA, Deputy County Clerk: Vice Chair Chock, just to clarify that this item is to be deferred to February 5, 2014.

Vice Chair Chock: February 5, 2014 Special Council Meeting. We will bring the meeting back to order. Is there any discussion? I would like to see if we can...

There being no objections, the rules were suspended.

KLAYTON KUBO: What time is it going to be? February 5<sup>th</sup>, what time?

Ms. Yukimura: 8:30 is when I am going to make the motion to defer.

Vice Chair Chock: 8:30.

The meeting was called back to order, and proceeded as follows:

Vice Chair Chock: I know that we have deferred this item twice and it is because we wanted everyone to be present. Councilmember Rapozo was absent and I think someone else, and now we have our Chair absent. In the effort of trying to move this forward, at any time we could be missing people, so maybe we need to specify that everyone will be here on that date, Councilmember Yukimura.

Ms. Yukimura: Just to clarify, I guess we will need a main motion to approve the Resolution and then to defer it, and that is what we are deferring. We are not deferring the reconsideration, okay, because that has been done already. As we recall, the matter was deferred to this meeting because two (2) members were absent at the last meeting so I think it is only appropriate...and we expected everyone to be present. We did not defer it to the 29<sup>th</sup> because Councilmember Hooser will be absent. It is my intention, but I want to announce it before I make a motion to defer so that everybody understands to defer to February 5<sup>th</sup> which is a Committee Meeting day, but to a Special Meeting at 8:30 a.m.

Vice Chair Chock: Would you like to make that motion?

Mr. Hooser: Point of clarification.

Vice Chair Chock: Okay.

Mr. Hooser: It is my understanding and staff can correct me if I am wrong that what is on the table is the main motion as amended. We voted to reconsider that amendment, the amendment is still in place, and that is what we are going to be voting on. That is what is on the table.

Ms. Yukimura: It is draft 2, I think, right?

Mr. Hooser: Which includes all the amendments that were passed?

Ms. Yukimura: Right.

Mr. Hooser: So, we are voting on that?

Ms. Yukimura: To defer it.

Mr. Hooser: Right nothing more than that. I also want to point out that while we all want to operate expeditiously, because the money bill will support this is still in process, that our continued debate of this Resolution does not delay the process per say because the money is still pending before we go...just in case any of the public is frustrated because we are unnecessarily delaying or putting it off. That is really not the case. There is no delay because the money is still being processed.

Vice Chair Chock: Thank you. Can we move to defer?

Ms. Yukimura: Yes. I should make a main motion to approve Resolution.

Mr. Hooser: No, we are moving to defer.

Ms. Yukimura: Okay.

Upon motion duly made by Councilmember Yukimura, seconded by Councilmember Kagawa, Resolution No. 2013-72, Draft 2 was deferred to the February 5, 2014 Special Council Meeting at 8:30 a.m.

#### ADJOURNMENT.

There being no further business, the Special Council Meeting adjourned at 4:21 p.m.

Respectfully submitted,

  
JADE K. FOUNTAIN-TANIGAWA  
Deputy County Clerk

:dmc

